

AMENDATORY SECTION (Amending Order 03-09, filed 12/22/04, effective 1/22/05)

**WAC 173-407-040 Carbon dioxide mitigation program fees.**  
(~~((1) Statutory authorization.~~ RCW 70.94.892 authorizes the department to determine, assess, and collect fees sufficient to cover costs to review and approve or deny the carbon dioxide mitigation plan components of an order of approval. The order of approval will specify costs to monitor conformance related to the carbon dioxide mitigation plan.

~~(2) Fees.~~ The fees for the carbon dioxide mitigation program are described in this section and listed in the table below. The fees listed are added to the fees established in chapters 173-400 and 173-401 WAC, when the carbon dioxide mitigation plan requirements are triggered.

Activity	Fee
<b>a. Application Review</b>	\$65.00/hr <sup>†</sup> not to exceed \$500.00
<b>b. Mitigation Plan approval</b>	
i. Payment to third party	\$100 <sup>‡</sup>
ii. Purchase of CO <sub>2</sub> -credits	\$65.00/hr <sup>‡</sup>
iii. Direct investment	\$65.00/hr <sup>‡</sup>
<b>c. Routine Compliance Monitoring</b>	
i. Payment to third party	\$100 <sup>‡</sup> annually until full amount paid
ii. Purchase of CO <sub>2</sub> -credits	\$65.00/hr <sup>‡</sup>
iii. Applicant Controlled Project	\$65.00/hr <sup>‡</sup>

<sup>†</sup>Estimated using an EE3 per hour rate with a cap.

<sup>‡</sup>Small fee primarily to check math and that the source is using an EFSEC approved qualified organization.

<sup>‡</sup>Estimated EE3 per hour rate to check that the credits purchased will be verifiable and from a reputable trading or marketing organization.

<sup>‡</sup>Estimated using an EE3 per hour rate.

<sup>‡</sup>Same as rationale for <sup>‡</sup> above.

<sup>‡</sup>Verify and confirm credits with the trading or marketing organization.

~~(3) The department or authority may use RCW 70.94.085 to structure a cost-reimbursement agreement with the applicant.)) Fees can be found in chapter 173-455 WAC.~~

[Statutory Authority: RCW 70.94.892 and chapter 80.70 RCW. 05-01-

237 (Order 03-09), § 173-407-040, filed 12/22/04, effective  
1/22/05.]